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Page: 1

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Case Number: 200000044

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PAGE 01 BUENOS 06975 222009Z

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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /059 W

R 221629Z OCT 76
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 7646

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E.O. 11652: N/A
TAGS: PINT, PINS, SHUM, AR
SUBJECT: UCR DEPUTY AMAYA DIES WHILE UNDER DETENTION

REF: BUENOS AIRES 5756

1. FORMER RADICAL PARTY (UCR) DEPUTY MARIO ABEL AMAYA DIED OF REPORTED HEART FAILURE IN THE VILLA DEVOTO PRISON HOSPITAL IN BUENOS AIRES OCTOBER 19. THE ARMY COMMUNIQUE ANNOUNCING HIS DEATH SAID THAT HE HAD BEEN UNDER TREATMENT FOR CHRONIC ASTHMA AND HEART TROUBLE. AMAYA, WHO WAS BEING HELD AT DISPOSITION OF THE EXECUTIVE ALONG WITH UCR SENATOR SOLARI IRIGOYEN IN BAHIA BLANCA, WAS TRANSFERRED TO VILLA DEVOTO LAST MONTH AFTER SUFFERING A HEART ATTACK. THE TWO LAWYERS WERE KIDNAPPED FROM THEIR HOMES AUG. 17, AND REAPPEARED AUGUST 30, ONLY TO BE PROMPTLY ARRESTED AND DETAINED UNDER STATE OF SEIGE. AMAYA WAS 40 YEARS OLD.

2. NEWSPAPERS LAST WEEKEND (OCT. 16-17) PRINTED A LIST OF ACCUSATIONS LEAKED FROM "RESPONSIBLE SOURCES" (I.E. ARMY) LINKING BOTH AMAYA AND SOLARI IRIGOYEN WITH EXTREMIST GROUPS. (BOTH WERE PROMINENT DEFENSE LAWYERS WELL KNOWN FOR REPRESENTING LEFT-WING DETAINEES.) THE ACCUSATIONS LISTED A NUMBER OF "DANGEROUS SUBVERSIVES"

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

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Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1976BUENOS06975

Page: 2

Channel: n/a

Case Number: 200000044

[REDACTED]
PAGE 02 BUENOS 06975 222009Z

ALLEGEDLY CONNECTED WITH THE ERP AND MONTONEROS WHO HAD BEEN DEFENDED, SOME SUCCESSFULLY, BY SOLARI IRIGOYEN AND AMAYA. THE LAWYERS WERE ALSO CITED FOR HAVING EXPRESSED SUPPORT FOR CHILEAN PRESIDENT ALLENDE, PETITIONED FOR THE RELEASE OF PRISONERS ALLEGEDLY LINKED TO THE ERP AND PERONIST YOUTH, AND DRIVEN RELEASED PRISONERS IN THEIR CARS. AMAYA WAS SAID TO HAVE TAUGHT MARXIST DOCTRINES AND BEEN INVOLVED IN THE TRELEW PRISON ESCAPE IN 1974.

3. THE ACCUSATIONS, WHICH IMPUTE SUBVERSIVE CONNECTIONS TO THE TWO LAWYERS FOR ACTIVITIES INCLUDING DEFENDING ALLEGED LEFTISTS FOUND INNOCENT BY THE ARGENTINE COURTS, ELICITED A SHARP PROTEST FROM THE BA HERALD OCT. 17. IN AN EDITORIAL TITLED "WITCH HUNTING WON'T HELP WIN THE WAR" THE HERALD DENOUNCED THE SMEAR CAMPAIGN BEING CARRIED OUT BY ANONYMOUS "RESPONSIBLE SOURCES" AGAINST THE TWO LAWYERS, WHOSE MAJOR CRIME APPEARS TO HAVE BEEN DEFENDING PERSONS CHARGED WITH SUBVERSION. "ARGENTINA HAS NOT, AND SURELY NEVER WILL, REACH THE POINT OF HATRED AND BIGOTRY AT WHICH A LAWYER IS HELD RESPONSIBLE FOR THE CRIMES OF THE MAN HE IS DEFENDING BEFORE THE COURTS", THE EDITORIAL SAID, AND CALLED FOR PUBLIC DEFENSE OF THE TWO MEN AND A SWIFT INVESTIGATION.

4. COMMENT: THE ANONYMOUSLY LEAKED ACCUSATIONS CAN BE TAKEN AS AN INDICATION THAT THE AUTHORITIES HAVE FOUND IT IMPOSSIBLE TO COME UP WITH ANY REAL EVIDENCE AGAINST THE TWO LAWYERS. GOVERNMENT CRITICS ARE LIKELY TO SPECULATE THAT THE GOVERNMENT WAS IN SOME WAY RESPONSIBLE, THOUGH EMBASSY HAS NO INFORMATION TO SUPPORT THIS SPECULATION.
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Current Class: [REDACTED]

Page: 2

UNCLASSIFIED